

By:

Frank Madla

S.J.R. No. 45

SENATE

X JOINT RESOLUTION

1 proposing a constitutional amendment to repeal the authority of the
2 legislature to provide for the creation of rural fire prevention
3 districts.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 48-d, Article III, Texas Constitution,
6 is repealed.

7 SECTION 2. This proposed constitutional amendment shall be
8 submitted to the voters at an election to be held ^{September 13} ~~November 4~~, 2003,
9 only if the 78th Legislature, at its regular session, enacts a bill
10 relating to the conversion of all rural fire prevention districts
11 to emergency services districts and that bill becomes law. The
12 ballot shall be printed to permit voting for or against the
13 proposition: 7 "The constitutional amendment to repeal the authority
14 of the legislature to provide for the creation of rural fire
15 prevention districts." If such a bill does not become law, this
16 proposed constitutional amendment has no effect.

1-1 By: Madla S.J.R. No. 45
1-2 (In the Senate - Filed March 10, 2003; March 20, 2003, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 7, 2003, reported favorably by the following
1-5 vote: Yeas 3, Nays 0; April 7, 2003, sent to printer.)

1-6 SENATE JOINT RESOLUTION

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1-20 of the legislature to provide for the creation of rural fire
1-21 prevention districts." If such a bill does not become law, this
1-22 proposed constitutional amendment has no effect.

1-23 * * * * *

FAVORABLE
SENATE COMMITTEE REPORT ON

SB SCR (SJR) SR HB HCR HJR 45
By Madla
(Author/Senate Sponsor)
4-7-03
(date)

Sir:

We, your Committee on INTERGOVERNMENTAL RELATIONS, to which was referred the attached measure, have on 4-2-03, had the same under consideration and I am instructed to report it back with the recommendation (s) that it:

- ☒ do pass and be printed
- ☐ do pass and be ordered not printed
- ☒ and is recommended for placement on the Local and Uncontested Bills Calendar.
- A fiscal note was requested. ☒ yes ☐ no
- A revised fiscal note was requested. ☐ yes ☒ no
- An actuarial analysis was requested. ☐ yes ☒ no
- Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Frank Madla, Chairman	<input checked="" type="checkbox"/>			
Senator Kim Brimer, Vice-Chairman			<input checked="" type="checkbox"/>	
Senator Bob Deuell	<input checked="" type="checkbox"/>			
Senator Mario Gallegos	<input checked="" type="checkbox"/>			
Senator Jeff Wentworth			<input checked="" type="checkbox"/>	
TOTAL VOTES	3	0	2	0

COMMITTEE ACTION

S260 Considered in public hearing
S270 Testimony taken
William Stephen COMMITTEE CLERK
Frank Madla CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill
Retain one copy of this form for Committee files

WITNESS LIST

SJR 45

SENATE COMMITTEE REPORT

Intergovernmental Relations

April 2, 2003 - 9:00AM

Registering, but not testifying:

FOR: Johnson, Helen Executive Director (State Firemen's and Fire Marshall's Association),
 Austin, TX

BILL ANALYSIS

Senate Research Center
78R714 ATP-D

S.J.R. 45
By: Madla
Intergovernmental Relations
3/25/2003
As Filed

DIGEST AND PURPOSE

Currently, there are two types of special districts which provide services to the residents within the districts' services boundaries: rural fire prevention districts and emergency services districts. This past interim, the Senate Committee on Intergovernmental Relations studied these districts. Research revealed that while the districts provide similar services, their ability to fund the districts' operations are very different. The enabling legislation, S.B.1021, provides for the conversion of the remaining rural fire prevention districts to emergency services districts. As proposed, S.J.R. 45 proposes a constitutional amendment to repeal the Legislature's authority of to provide for the creation of rural fire prevention districts.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Repealer: Section 48-d, Article III, Texas Constitution (Rural Fire Prevention Districts).

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 4, 2003, only if the 78th Legislature, at its regular session, enacts a bill relating to the conversion of all rural fire prevention districts to emergency services districts and that bill becomes law. Requires the ballot to be printed to permit voting for or against the proposition: "The constitutional amendment to repeal the authority of the legislature to provide for the creation of rural fire prevention districts." Provides that if such a bill does not become law, this proposed constitutional amendment has no effect.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

March 29, 2003

TO: Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

FROM: John Keel, Director, Legislative Budget Board

IN RE: SJR45 by Madla (Proposing a constitutional amendment to repeal the authority of the legislature to provide for the creation of rural fire prevention districts.), **As Introduced**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$85,275.

The resolution proposes an amendment to the state constitution that would repeal legislative authority to create rural fire prevention districts, and therefore, too, would repeal legislative authority to impose a tax on ad valorem property to pay for the districts. The amendment would be presented to the voters in the general election scheduled for November 4, 2003.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JK, DLBa

REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that SJR 45, by Madla,
(Bill No.) (Author/Sponsor)
was heard by the Committee on IGR on 4-2, 2003,
and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.

Shelley Stephens
(Clerk of the reporting committee)

IMPORTANT: A COPY OF THIS FORM MUST BE ATTACHED TO A COMMITTEE PRINTED VERSION OF THE BILL OR RESOLUTION AND SHOULD BE DELIVERED TO THE ADMINISTRATION COMMITTEE OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS AND RESOLUTIONS WILL BE ANNOUNCED ON A REGULAR BASIS.

Engrossed April 15, 2003

Mardi Alexander

Engrossing Clerk

I certify this to be a true and correct
copy of the indicated document as
referred or transmitted to committee.

Chief Clerk of the House

By: Madla
(Lewis)

S.J.R. No. 45

SENATE JOINT RESOLUTION

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legislature to provide for the creation of rural fire prevention
districts.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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submitted to the voters at an election to be held November 4, 2003,
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relating to the conversion of all rural fire prevention districts
to emergency services districts and that bill becomes law. The
ballot shall be printed to permit voting for or against the
proposition: "The constitutional amendment to repeal the authority
of the legislature to provide for the creation of rural fire
prevention districts." If such a bill does not become law, this
proposed constitutional amendment has no effect.

LEGISLATIVE BUDGET BOARD

Austin, Texas

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Source Agencies:

LBB Staff: JK, DLBa

LIST OF HOUSE AMENDMENTS CONSIDERED TODAY

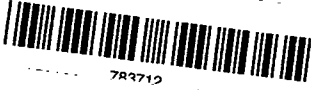
SJR45-Second Reading

<u>AMENDMENT#</u>	<u>AUTHOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
1	Denny	Amendment	Adopted

ADOPTED

MAY 24 2003

Robert D. Hargis
Chief Clerk
House of Representatives



FLOOR AMENDMENT NO. 1

BY: Denny

- 1 ✓ Amend S.J.R. No. 45 in SECTION 2 of the joint resolution
- 2 (House committee report, page 1, line 9), by striking "November 4,
- 3 2003" and substituting "September 13, 2003".

Enrolled May 27, 2003
Mardi Cleland
Enrolling Clerk

S.J.R. No. 45

SENATE JOINT RESOLUTION

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05
er

S.J.R. No. 45

President of the Senate

Speaker of the House

I hereby certify that S.J.R. No. 45 was adopted by the Senate on April 15, 2003, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 27, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.J.R. No. 45 was adopted by the House, with amendment, on May 24, 2003, by the following vote: Yeas 109, Nays 7, two present not voting.

Chief Clerk of the House

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 26, 2003

TO: Honorable David Dewhurst, Lieutenant Governor, Senate

FROM: John Keel, Director, Legislative Budget Board

IN RE: SJR45 by Madla (Proposing a constitutional amendment to repeal the authority of the legislature to provide for the creation of rural fire prevention districts.), **As Passed 2nd House**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$85,275.

The resolution proposes an amendment to the state constitution that would repeal legislative authority to create rural fire prevention districts; and therefore, too, would repeal legislative authority to impose a tax on ad valorem property to pay for the districts.

The constitutional amendment would be submitted to the voters at an election to be held September 13, 2003.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JK, SD, DLBa

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 22, 2003

TO: Honorable Glenn Lewis, Chair, House Committee on County Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: SJR45 by Madla (Proposing a constitutional amendment to repeal the authority of the legislature to provide for the creation of rural fire prevention districts.), **As Engrossed**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$85,275.

The resolution proposes an amendment to the state constitution that would repeal legislative authority to create rural fire prevention districts, and therefore, too, would repeal legislative authority to impose a tax on ad valorem property to pay for the districts. The amendment would be presented to the voters in the general election scheduled for November 4, 2003.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JK, DLBa

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

March 29, 2003

TO: Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

FROM: John Keel, Director, Legislative Budget Board

IN RE: SJR45 by Madla (Proposing a constitutional amendment to repeal the authority of the legislature to provide for the creation of rural fire prevention districts.), **As Introduced**

No fiscal implication to the State is anticipated, other than the cost of publication.

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Local Government Impact

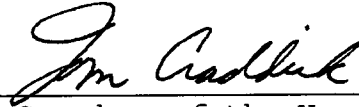
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Source Agencies:

LBB Staff: JK, DLBa

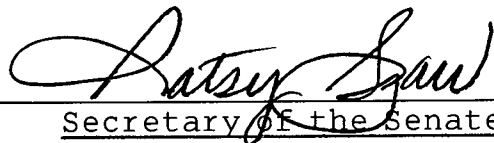


President of the Senate



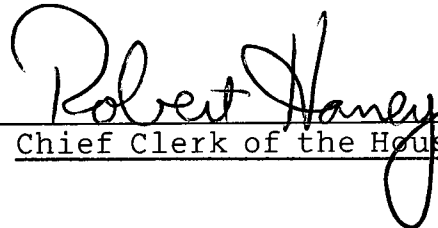
Speaker of the House

I hereby certify that S.J.R. No. 45 was adopted by the Senate on April 15, 2003, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 27, 2003, by the following vote: Yeas 31, Nays 0. _____



Secretary of the Senate

I hereby certify that S.J.R. No. 45 was adopted by the House, with amendment, on May 24, 2003, by the following vote: Yeas 109, Nays 7, two present not voting. _____



Chief Clerk of the House

Approved:

Date

Governor

3/6cert

President of the Senate Speaker of the House
I hereby certify that ^{J.R.} S.B. No. 45 ^{was adopted by} passed the Senate on April 15, 2003, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 27, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate
I hereby certify that ^{J.R.} S.B. No. 45 ^{was adopted by} passed the House, with amendment, on May 24, 2003, by the following vote: Yeas 109, Nays 7.
two present not voting

Chief Clerk of the House

Approved:

Date

Governor

S.J.R. No.

45

By

Frank Madla

proposing a constitutional amendment to repeal the authority of the legislature to provide for the creation of rural fire prevention districts.

MAR 10 2003

Filed with the Secretary of the Senate

MAR 20 2003

Read and referred to Committee on INTERGOVERNMENTAL RELATIONS

APR 07 2003

Reported favorably

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

Laid before the Senate

APR 15 2003

Senate and Constitutional Rules to permit consideration suspended by:

unanimous consent

— years, — nays

APR 15 2003

Read second time, , and ordered engrossed by:

unanimous consent
a viva voce vote

— years, — nays

APR 15 2003

Senate and Constitutional 3 Day Rule suspended by a vote of 29 yeas, 2 nays.

APR 15 2003

Read third time, , and passed by: 31 yeas, 0 nays

Latey Spaw
SECRETARY OF THE SENATE

OTHER ACTION:

April 15, 2003

Engrossed

April 15, 2003

Sent to House

Engrossing Clerk

Mandi Alexander

APR 15 2003

Received from the Senate

APR 16 2003

Read first time and referred to Committee on County Affairs

APR 24 2003

Reported favorably (~~amended~~) (~~substituted~~)

MAY 01 2003

Sent to Committee on Calendars

MAY 24 2003

Read second time (~~amended~~) (amended) and adopted (~~passed to third reading~~) by a record vote of 109 yeas, 1 nays, 2 present, not voting

Read third time (amended) and finally adopted (failed of adoption) by a record vote of yeas, nays, present, not voting

MAY 26 2003

Returned to Senate.

Robert Haney

CHIEF CLERK OF THE HOUSE

Returned from House without amendment.

MAY 26 2003

Returned from House with 1 amendments.

MAY 27 2003

Concurred in House amendments by a ~~viva voce vote~~ 31 yeas, 0 nays.

_____ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

_____ Senate conferees instructed.

_____ Senate conferees appointed: _____, Chairman; _____
_____, _____, and _____

_____ House granted Senate request. House conferees appointed: _____, Chairman;
_____, _____, _____

_____ Conference Committee Report read and filed with the Secretary of the Senate.

_____ Conference Committee Report adopted on the part of the House by: _____

{ a viva voce vote
_____ yeas, _____ nays

_____ Conference Committee Report adopted on the part of the Senate by:

{ a viva voce vote
_____ yeas, _____ nays

OTHER ACTION:

_____ Recommitted to Conference Committee

_____ Conferees discharged.

_____ Conference Committee Report failed of adoption by: _____

{ a viva voce vote
_____ yeas, _____ nays

23 JAN 30 PM 11:16
HOUSE OF REPRESENTATIVES